

Message

From: Wilder, Scott [Wilder.Scott@epa.gov]
Sent: 10/26/2015 3:56:47 PM
To: Chalfant, Mark [Chalfant.Mark@epa.gov]
Subject: RE: Anaconda-Columbia Falls/Request for Back-up Cost Documentation

Hi Mark,

Sorry I missed this, I was out on sick leave Friday. I don't have any concerns with the changes. Did you return the revised documents to Mr. Cohen Friday or shall I send it today?

Hope your trip is going well.

Scott Wilder
U.S. Environmental Protection Agency
CERCLA Technical Enforcement Program
1200 Sixth Avenue, Suite 900, MS-113
Seattle, WA 98101
206-553-6693

From: Chalfant, Mark
Sent: Friday, October 23, 2015 9:22 AM
To: Wilder, Scott
Subject: FW: Anaconda-Columbia Falls/Request for Back-up Cost Documentation

Scott,
I don't have a problem with the changes requested by Atlantic Richfield (see redline version dated 10/5/15). Please let me know if you have any concerns. I would like to get this out today if you are in the office today.
Thank you.
Mark

From: Cohen, Adam [mailto:Adam.Cohen@dgslaw.com]
Sent: Thursday, October 22, 2015 5:57 PM
To: Chalfant, Mark
Cc: Cohen, Adam
Subject: RE: Anaconda-Columbia Falls/Request for Back-up Cost Documentation

Mark — I am back in the office, and I've now had a chance to review the proposed confidentiality agreement. I would like to propose three minor changes, as indicated in the attached redline:

1. Change all references from "ARCO" to "Atlantic Richfield." Atlantic Richfield Company and the retail gasoline company ARCO are actually different entities. As a result, Atlantic Richfield does its best not to use the ARCO acronym in its documents.
2. Add a sentence to Paragraph 3 stating that Atlantic Richfield can request that EPA make a confidentiality determination as to particular documents that have been produced. This is consistent with other CBI agreements we have entered into with EPA.
3. Add a clarification to Paragraph 4 that produced documents not marked as CBI are not subject to the requirements of the agreement. Again, this is consistent with other EPA CBI agreements, and it is intended to avoid future confusion.

If these changes are acceptable, please finalize the agreement for signature.

ADAM S. COHEN

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From: Chalfant, Mark [<mailto:Chalfant.Mark@epa.gov>]

Sent: Monday, October 05, 2015 12:43 PM

To: Cohen, Adam

Subject: Anaconda-Columbia Falls/Request for Back-up Cost Documentation

Mr. Cohen:

EPA has pulled the back-up cost documentation which your client, Atlantic Richfield Company, requested in connection with EPA's June 9, 2015 general notice letter and demand for payment of response costs in connection with the Anaconda Co Columbia Falls Reduction Plant Superfund Site in Flathead County, Montana. Attached please find a proposed confidentiality agreement which covers EPA contractor proprietary information. Please sign and return the agreement at your earliest opportunity. EPA will send you the cost documentation once we have received the executed agreement.

Thank you.

Mark

Mark A.R. Chalfant

Attorney

Legal Enforcement Program

Office of Enforcement, Compliance and Environmental Justice | U.S. EPA Region 8

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